

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X

DEBORAH INTORCIA,

Case No.: 24-CV-4837 (LB)

Plaintiff,

**PLAINTIFF'S FIRST
SET OF
INTERROGATORIES,
REQUEST FOR
PRODUCTION OF
DOCUMENTS, AND
REQUESTS FOR
ADMISSION**

v.

THE CITY OF NEW YORK; Officer RYAN T. STAM;
Sergeant MARY K. GILLESPIE; Officer LOUIS J.
CAMPANELLA; Assistant District Attorney REBECCA
JEROME; and DOES #1-10, in their individual
and official capacities,

Defendants.

X

Pursuant to Rule 26, 33, 34, and 36, of the Federal Rules of Civil Procedure and Local Civil Rule 26.3, Plaintiff hereby requests that Defendants serve upon the undersigned sworn written answers to each of the interrogatories set forth below and produce for inspection and copying the documents requested below at the Law Offices of James Henning & Associates, PLLC, 16 Court Street, Suite 503, Brooklyn, New York, 11241, or electronically to ccaukin@jhenninglaw.com, within thirty (30) days after service hereof.

INSTRUCTIONS AND DEFINITIONS

1. Plaintiff hereby incorporates the uniform definitions in discovery requests contained in Local Civil Rule 26.3.
2. The term "incident" means the facts and circumstances forming the basis of this action as described in the complaint, including any related arrest, confinement, and/or prosecution.
3. If the answer to all or any part of an interrogatory is not presently known or available, include a statement to that effect and furnish any information currently known or available, and a description of the source of information that was once known or available that could have been used to respond to the interrogatory.
4. If any document responsive to these interrogatories or document requests has been lost, destroyed, or is otherwise unavailable, identify such document, and, in addition, identify the last known custodian, and provide the date the document was lost, destroyed, or otherwise became unavailable.

5. If a claim of privilege is asserted with respect to any information called for by an interrogatory is, or any documents or portions thereof are, withheld by reason of a claim of privilege, provide a privilege log containing the information required by Local Rule 26.2.
6. These interrogatories and document requests are continuing. If at any time after service of responses to these requests, if defendants learn that in some material respect the responses are incomplete or incorrect, defendants should, within seven days, and in no later than the close of discovery, provide Plaintiff with such information or documents by amended or supplemental responses.

INTERROGATORIES

7. Identify all assistant district attorneys who participated in the prosecution People of the State of New York v. Deborah Intorcchia, CR-004170-23RI, including, but not limited to:
 - a. the assistant district attorney who wrote the misdemeanor complaint on July 17, 2023, as well as the assistant district attorney who supervised and/or approved the writing of said complaint and proceeding with the prosecution,
 - b. the assistant district attorney who represented the prosecution (meaning, the attorney who appeared on the record) at the July 18, 2023, arraignment proceeding concerning People of the State of New York v. Deborah Intorcchia, docket no. CR-004170-23RI, or any other court proceeding relating to the case, and
 - c. the supervising assistant district attorney who approved the dismissal of case.
8. Identify the meaning of “SGT ADV HOLDING” in the ICAD sprint report, listed in the details section next to terminal “ps1-d36” (said ICAD sprint report is attached hereto as Exhibit A).
9. Identify the 911 operator associated with tax identification number 343333.
10. Identify all members of the NYPD who responded to 87 Stieg Avenue on July 17, 2023, in relation to the 911 call associated with the ICAD event number D2307171864.
11. Identify all members of the NYPD who were assigned to guard, supervise, watch, or otherwise maintain the prisoner holding cells at the 122nd Precinct on July 17, 2023, between the hours of 9pm to 11:59pm, and specifically, the prisoner holding cell that Plaintiff was held in.
12. Identify the male person/prisoner who was incarcerated with Plaintiff inside of the holding cell at the 122 Precinct on July 17, 2023.
13. Identify any and all members of the NYPD who authorized and otherwise approved the strip and cavity search of Plaintiff at the 122 Precinct on July 17, 2023.
14. Identify the NYPD borough Court Section supervisor on July 17, 2023, for the 122nd Precinct.
15. State the basis for Defendant SERGEANT MARY K. GILLESPIE conducting a strip and cavity search of Plaintiff on July 17, 2023. If an NYPD protocol was relied upon to conduct the search, specify which NYPD protocol.
16. State whether any of the named NYPD defendants had a reason to believe that evidence, contraband, and/or weapons were concealed inside of Plaintiff’s rectum on July 17, 2023.

17. Identify all members of the NYPD who transported, drove, or otherwise assisted in the physical movement of Plaintiff to the 120th Precinct on either July 17, 2023, or July 18, 2023.
18. Identify the male person/prisoner who was transported from the 122nd Precinct to the 120th Precinct, in the same vehicle as Plaintiff, on either July 17, 2023 or July 18, 2023.
19. Identify any and all members of the NYPD who ordered or otherwise approved the physical search of Plaintiff at the 120th Precinct on either July 17, 2023, or July 18, 2023.
20. Identify the NYPD officer who conducted the physical search of Plaintiff at the 120th Precinct on either July 17, 2023, or July 18, 2023.
21. Identify any and all civil lawsuits where OFFICER RYAN T. STAM, OFFICER LOUIS J. CAMPANELLA, SERGEANT MARY K. GILLESPIE, and/or REBECCA JEROME, have been a named defendant, regardless of the outcome of the lawsuit, and, if so, provide the case number and county or jurisdiction of the lawsuit, as well as the disposition.
22. Identify whether defendants OFFICER RYAN T. STAM, OFFICER LOUIS J. CAMPANELLA, and/or SERGEANT MARY K. GILLESPIE, have been the subject of an NYPD Internal Affairs investigation, regardless of the outcome of the investigation, and indicate the subject matter of the investigation, as well as the disposition.
23. Identify whether OFFICER RYAN T. STAM, OFFICER LOUIS J. CAMPANELLA, and/or SERGEANT MARY K. GILLESPIE, have been the subject of any Civilian Complaint Review Board investigation, regardless of the outcome of the investigation, and indicate the subject matter of the investigation as well as the disposition.
24. State whether any of the named defendants have been arrested on any occasion, for a felony, misdemeanor, or violation, and if so, provide for each such arrest, the county or jurisdiction of the arrest, the date of the arrest, and the arrest charges.
25. State whether any of the named defendants have been a defendant in a criminal proceeding (felony, misdemeanor, or violation) on any occasion, and if so, for each criminal proceeding, provide the county, court, case or indictment number, date the prosecution was initiated, and the disposition.
26. State whether any of the named defendants have been a party to any lawsuit or administrative proceeding, and, if so, provide the court or administrative body, caption, case, docket or index number, the date the lawsuit or proceeding was initiated, and the disposition.
27. State whether any of the named NYPD defendants were contacted (through any sort of electronic means, including, but not limited to, text messages and telephone calls) by Alysa Andrade, Arlene Andrade, and/or James Yap prior to Plaintiff's arrest on July 17, 2023. If so, specify which defendant received the communication and through what sort of electronic means, as well as the approximate date and time of the communication.
28. State whether any of the named NYPD defendants were contacted (whether verbally or through any electronic means) by any other member of the NYPD concerning the incident, prior to Plaintiff's arrest on July 17, 2023. If so, state which named NYPD defendant received the contact and by whom, as well as the date and time of the communication.

29. State whether any of the named NYPD defendants had personally met (or were otherwise knew or were familiar with) Alysa Andrade, Arelene Andrade, and/or James Yap prior to Plaintiff's arrest on July 17, 2023.

DOCUMENT REQUESTS

30. Produce all documents identified in the preceding interrogatories.
31. Produce the audio recordings of 911 call associated with ICAD event number D2307171864.
32. Produce the audio recordings of the radio run associated with ICAD event number D2307171864.
33. Produce all memobook entries of all members of the NYPD who responded to 87 Stieg Avenue in Staten Island on July 17, 2023, in response to ICAD event number D2307171864.
34. Produce all body worn camera footage for all members of the NYPD who responded to 87 Stieg Avenue in Staten Island on July 17, 2023, in response to ICAD event number D2307171864.
35. Produce all NYPD roll call logs and command logs from the 122nd and 120th Precincts for July 17, 2023, and July 18, 2023.
36. Produce any NYPD prisoner movement slips concerning Plaintiff's arrest on July 17, 2023.
37. Produce any NYPD prisoner holding pen rosters concerning Plaintiff's arrest on July 17, 2023.
38. Produce all memobook entries from the named defendants concerning:
- a. Plaintiff's arrest on July 17, 2023,
 - b. the incident underlying Plaintiff's arrest (as described in the complaint in this action), and any subsequent investigation, and
 - c. the subsequent prosecution of Plaintiff under docket number CR-004170-23RI.
39. Produce all memobook entries from the named defendants concerning conversations with Alysa Andra, James Yap, and/or Arlene Andrade, or any other witnesses of the incident.
40. Produce all NYPD DD5 entries concerning Plaintiff's arrest on July 17, 2023, and Plaintiff's subsequent prosecution.
41. Produce all video footage recordings (including any security camera footage or body worn camera footage) from inside the 122nd Precinct on July 17, 2023, during the hours of approximately 8pm to 11:59pm, concerning Plaintiff's arrest, including, but not limited to:
- a. Plaintiff being fingerprinted by members of the NYPD,
 - b. Plaintiff being confined in holding cells,
 - c. Plaintiff being physically transported and/or moved inside of the 122nd Precinct by members of the NYPD, and
 - d. Plaintiff being physically searched by members of the NYPD.
42. Produce all body worn camera footage from the police officers who transported Plaintiff from the 122nd Precinct to the 120th Precinct on either July 17, 2023, or July 18, 2023.

43. Produce all video footage recordings (including any security camera footage or body worn camera footage) from inside of the 120th Precinct on either July 17, 2023, or July 18, 2023, concerning Plaintiff's arrest, including, but not limited to:
 - a. Plaintiff being confined in holding cells,
 - b. Plaintiff being physically transported and/or moved inside of the 120th Precinct by members of the NYPD, and
 - c. Plaintiff being physically searched by members of the NYPD.
44. Produce the handwritten and typed NYPD complaint report concerning Plaintiff's arrest on July 17, 2023.
45. Produce the NYPD aided report concerning Plaintiff's arrest on July 17, 2023.
46. Produce the NYPD arrest report, the arrest worksheet, and any supplemental arrest reports concerning Plaintiff's arrest on July 17, 2023.
47. Produce the entire prosecutorial file for People of the State of New York v. Deborah Intorcia, docket number CR-004170-23RI.
48. Produce any and all written reports, communications, memoranda, and/or notes generated by any member of the Richmond District Attorney's Office concerning the case of People of the State of New York v. Deborah Intorcia, docket no. CR-004170-23RI, including, but not limited to, dismissal reports, emails, and notes on case file jackets.
49. Produce all text messages between any of the named defendants and Alysa Andrade, Arlene Andrade, and/or James Yap concerning Plaintiff's arrest on July 17, 2023, the underlying incident giving rise to Plaintiff's arrest on July 17, 2023, and/or Plaintiff's subsequent prosecution.
50. Produce all text messages between any or all of the named defendants and any other member of the NYPD, concerning Plaintiff's arrest on July 17, 2023.
51. Produce all disciplinary records for all of the named NYPD defendants, including, but not limited to, Central Personnel Index files, NYPD Internal Affairs records concerning the named NYPD defendants, and any Civilian Complaint Review Board records concerning the named NYPD defendants.
52. Produce any adverse credibility lists, "Brady lists", or "Giglio lists" generated by the Richmond County District Attorney's Office identifying any of the named NYPD defendants.

REQUESTS FOR ADMISSION

53. Admit that Defendant SERGEANT MARY K. GILLESPIE performed a strip and cavity search of Plaintiff on July 13, 2023, inside of the 122nd Precinct.
54. Admit that Defendant SERGEANT MARY K. GILLESPIE inserted her finger into Plaintiff's rectum on July 13, 2023, inside of the 122nd Precinct, while conducting a strip and cavity search of Plaintiff.
55. Admit that, pursuant to the NYPD Patrol Guide, Procedure No. 208-05, (1)(C)(1), "A strip search may only be conducted when the arresting officer reasonably suspects that weapons, contraband, or evidence may be concealed upon the person or in the clothing in such a manner that they may not be discovered by the previous search methods."

56. Admit that Defendant ASSISTANT DISTRICT ATTORNEY REBECCA JEROME did not file a Certificate of Compliance pursuant to Criminal Procedure Law 245.50(1) concerning the case of People of the State of New York v. Deborah Intorcia, Docket No. CR-004170-23RI.
57. Admit that Defendant ASSISTANT DISTRICT ATTORNEY REBECCA JEROME did not file a supporting deposition concerning the case of People of the State of New York v. Deborah Intorcia, Docket No. CR-004170-23RI.

Dated: September 19, 2024
Brooklyn, NY

Respectfully Submitted,



CARISSA CAUKIN, Esq.

Attorneys for Plaintiff

Law Offices of James Henning & Associates, PLLC

Brooklyn, New York 11241

e: ccaukin@jhenninglaw.com, o: (718) 717-2454

EXHIBIT A

Event Chronology -- D23071718654

Summary

Event Number/Type	Location	Event Times	
D23071718654 39H2 (OTHER CRIMES (IN PROGRESS): HARASSMENT/OUTSIDE) / THREATS ()	87 STIEG AVE SI LEVERETT AVE / DEAD END	Started 07/17/23 19:52:08 Created 07/17/23 19:53:16 First Dispatch 07/17/23 19:56:21 First Arrive 07/17/23 20:04:33	
First Call	Assigned Units	Cross-References	Dispositions
WIRELESS-VERIZON(COMTECH) (718) 309-6445 LL(-74:09:12.9025,40:33:25.3187): EST 226 LEVERETT AVE SI Call Count 1	122ST1-3 122B1-3		

☒ Include System Comments

☒ Include Associated Events

Report

Total records returned: 41

Date/Time	Operator	Terminal	Details
07/17/23 19:52:08	344677	ps1-c029	ANI/ALI Number: 182408637 Caller Name: WIRELESS-VERIZON(COMTECH) Caller Phone: (718) 309-6445 Location: 3250 RICHMOND AVE STATEN ISLAND Telco Comment: : S SECTOR Company: VZW Service Class: WPH2 Latitude: +040.557033 Longitude: -074.153584 XY: XY(94157468,14225633)
07/17/23 19:52:09	344677	ps1-c029	ANI/ALI Number: 182408639 Caller Phone: (718) 309-6445 Location: Service Class: rsos Latitude: 40.55703 Longitude: -74.15366 XY: XY(94155356,14225528)

07/17/23 19:52:30	344677	ps1-c029	ANI/ALI Number: 182408656 Caller Name: WIRELESS-VERIZON(COMTECH) Caller Phone: (718) 309-6445 Location: 3250 RICHMOND AVE STATEN ISLAND Telco Comment: : S SECTOR Company: VZW Service Class: WPH2 Latitude: +040.557033 Longitude: -074.153584 XY: XY(94157468,14225633)
07/17/23 19:53:16	344677	ps1-c029	Event D23071718654 created at 87 STIEG AVE SI Cross Street LEVERETT AVE Cross Street DEAD END Name: WIRELESS-VERIZON(COMTECH) Address: LL(-74:09:12.9025,40:33:25.3187): EST 226 LEVERETT AVE SI Call Source: ANI/ALI Phone Number: (718) 309-6445 Zone: Z36 PCT/Sector: 122A Type 39H2 (OTHER CRIMES (IN PROGRESS): HARASSMENT/OUTSIDE) Subtype THREATS () Precinct 122 Sector 122A Status N Priority 5
07/17/23 19:53:16	344677	loi-search	Event Comment (System) ** LOI search completed at 07/17/23 19:53:16
07/17/23 19:53:41	343333	ps1-d36	Event Updated - D23071718654 Status P
07/17/23 19:53:41	344677	ps1-c029	Event Comment (User) FC STS NEIGHBOR YELLING AT CALLER AND HER FAMILY --- -TRESPASSED AT LOCATION -----
07/17/23 19:53:41	343333	ps1-d36	Event Comment (System) Event D23071718654 has been displayed by the covering dispatcher
07/17/23 19:53:41	343333	ps1-d36	Event Comment (System) ** >>>> by: 343333 at 07/17/23 19:53:41 on terminal: ps1-d36
07/17/23 19:54:14	344677	ps1-c029	Event Comment (User) FC STS NEIGHBOR AT 222 LEVERETT AVE --- SCREAMING ABOUT WORKERS -- DOING CONSTRUCTION
07/17/23	344677	ps1-c029	Event Comment (User)

19:54:32			FC ANDRADE -- CB 718 309 6445
07/17/23 19:54:51	344677	ps1-c029	Event Comment (User) FC STS FW ----- MIDDLE AGED IN HER 50S-----
07/17/23 19:55:19	343333	ps1-d36	Event Comment (User) ---XMITTED---D21923
07/17/23 19:55:27	344677	ps1-c029	Event Comment (User) ANI-ALI-7183096445 WIRELESS-VERIZON COMTECH 3250 RICHMOND AVE S SECTOR STATEN ISLAND COS:WPH2 LAT: 040.557033 LON:-074.153584 OPER OConnor, Elyse-c-MTPPDVCP300-126===OPER 1906
07/17/23 19:56:01	343333	ps1-d36	Event Comment (User) 🚨 ----SGT ADV HOLDING-----D2192
07/17/23 19:56:21	343333	ps1-d36	Event Updated - D23071718654 Total Assigned Units 1
07/17/23 19:56:21	343333	ps1-d36	Event Updated - D23071718654 Status A First Unit Dispatched Time 07/17/23 19:56:21
07/17/23 19:56:21	343333	ps1-d36	Unit Action - D23071718654 Unit 122ST1-3 Route D Precinct 122 Action DP Location 87 STIEG AVE SI
07/17/23 20:04:33	343333	ps1-d36	Event Updated - D23071718654 First Unit Arrived Time 07/17/23 20:04:33
07/17/23 20:04:33	343333	ps1-d36	Unit Action - D23071718654 Unit 122ST1-3 Route D Precinct 122 Action 84 Location 87 STIEG AVE SI
07/17/23 20:14:11	343333	ps1-d36	Unit Action - D23071718654 Unit 122ST1-3 Route D Precinct 122 Action 85 Location 87 STIEG AVE SI
07/17/23 20:14:41	343333	ps1-d36	Event Updated - D23071718654 Total Assigned Units 2
07/17/23 20:14:41	343333	ps1-d36	Unit Action - D23071718654 Unit 122B1-3 Route D Precinct 122 Action DP Location 87 STIEG AVE SI
07/17/23 20:14:57	343333	ps1-d36	Event Comment (User) --AUTH OF 122ST1---REQ 1 ADDTL UNIT TO LOC-----NON EMERG----D2192
07/17/23 20:15:55	343333	ps1-d36	Unit Action - D23071718654 Unit 122B1-3 Route D Precinct 122 Action 84 Location 87 STIEG AVE SI
07/17/23 20:18:01	343333	ps1-d36	Unit Action - D23071718654 Unit 122B1-3 Route D Precinct 122 Action 82 Location 87 STIEG AVE SI

07/17/23 20:18:01	343333	ps1-d36	Event Comment (User) 122B1-3 -- 1 UNDER
07/17/23 20:26:21	343333	ps1-d36	Event Comment (User) -----AUTH OF 122B1-----XPORITNG 1 FEM TO 122 PCT---- MILEAGE 64354-----D2192
07/17/23 20:44:11	SYSTEM	ps2-acd1	Unit Action - D23071718654 Unit 122ST1-3 Route D Precinct 122 Action ~ Location 87 STIEG AVE SI
07/17/23 20:44:11	SYSTEM	ps2-acd1	Event Comment (System) 122ST1-3 -- System Unit Alarm
07/17/23 20:48:01	SYSTEM	ps2-acd1	Unit Action - D23071718654 Unit 122B1-3 Route D Precinct 122 Action ~ Location 87 STIEG AVE SI
07/17/23 20:48:01	SYSTEM	ps2-acd1	Event Comment (System) 122B1-3 -- System Unit Alarm
07/17/23 20:58:43	343333	ps1-d36	Event Updated - D23071718654 Total Assigned Units 1
07/17/23 20:58:43	343333	ps1-d36	Unit Action - D23071718654 Unit 122ST1-3 Route D Precinct 122 Action UC
07/17/23 20:58:43	343333	ps1-d36	Unit Action - D23071718654 Unit 122ST1-3 Route D Precinct 122 Action AV
07/17/23 20:58:43	343333	ps1-d36	Event Comment (System) 122ST1-3 -- Preempt Unit 122ST1-3
07/17/23 21:13:18	374247	ps1-d36	Disposition Type 92C Assigned - D23071718654
07/17/23 21:13:18	374247	ps1-d36	Event Updated - D23071718654 Primary Unit Id 122B1-3
07/17/23 21:13:18	374247	ps1-d36	Event Updated - D23071718654 Total Assigned Units 0
07/17/23 21:13:18	374247	ps1-d36	Event Closed D23071718654
07/17/23 21:13:18	374247	ps1-d36	Unit Action - D23071718654 Unit 122B1-3 Route D Precinct 122 Action AV

Total Associated Event records returned: 0